

State Water Resources Control Board

Division of Drinking Water

January 6, 2016

Robert Conner, Owner
Lake of the Woods Mobile Village
6132 Frazier Mountain Road #2
Lake of the Woods, CA 93225

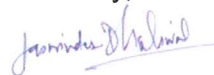
**RE: LAKE OF THE WOODS MOBILE VILLAGE (WATER SYSTEM NO. 1500459)
COMPLIANCE ORDER FOR VIOLATION OF NITRATE MCL**

Enclosed is Compliance Order No. 03_19_16R_001 that the State Water Resources Control Board, Division of Drinking Water (hereinafter State Board) is issuing to the Lake of the Woods Mobile Village Water System (hereinafter Water System) for a violation of the California Safe Drinking Water Act. The Water System has been serving water to consumers that fails the primary maximum contaminant level (MCL) for nitrate (as nitrogen) of 10 milligrams-per-liter. As discussed in the compliance order, the Water System shall develop and implement a plan to resolve the nitrate MCL violation and ensure that water served to consumers meets all drinking water standards.

Please note that on or before January 31, 2016, the Water System is required to submit a written response to the State Board indicating its agreement to comply with the directives of the compliance order and with the Corrective Action Plan addressed in the said compliance order. **On or before March 31, 2016, the Water System is required to present the Corrective Action Plan required under Directive No. 6 of the compliance order, to the State Board in person at the State Board's office located at 4925 Commerce Drive, Suite 120, Bakersfield, California 93309. The deadline to achieve compliance with the nitrate MCL is January 31, 2019.** Until the State Board determines that the Water System is in compliance with the nitrate MCL, you must continue to provide quarterly public notification for nitrate. After providing quarterly public notification, a copy of the public notice along with a completed Certification of Public Notification form should be submitted to the State Board's Bakersfield Office. **Failure to comply with deadlines and directives specified in the compliance order will result in further enforcement action by the State Board.**

If you have any questions regarding this matter, please contact me at (661) 335-7318 or Carl Carlucci, Supervising Sanitary Engineer at (559) 447-3132.

Sincerely,



Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer, Tehachapi District
State Water Resources Control Board
DIVISION OF DRINKING WATER

Enclosure: Compliance Order No. 03_19_16R_001

CC: Kern County Environmental Health Services Department (w/out enclosure)
Dan Sackett, skOO'kum h2o monitoring, inc., Contract Sampler

1 CALIFORNIA
2 STATE WATER RESOURCES CONTROL BOARD
3 DIVISION OF DRINKING WATER

4 TO: Lake of the Woods Mobile Village Water System
5 (System No. 1500459)

6 ATTN: Robert Conner, Owner
7 6132 Frazier Mountain Road #2
8 Lake of the Woods, CA 93225

9 CERTIFIED MAIL

10
11 COMPLIANCE ORDER NO. 03_19_16R_001

12 FOR

13 VIOLATION OF HEALTH AND SAFETY CODE SECTION 116555 (a)(1)

14 AND THE PRIMARY DRINKING WATER STANDARD FOR NITRATE

15 Dated January 6, 2016

16
17 The State Water Resources Control Board (hereinafter "State Board"), acting by and through
18 its Division of Drinking Water and the Deputy Director for the Division (hereinafter "Deputy
19 Director"), hereby issues this compliance order (hereinafter "Order") pursuant to Section
20 116655 of the California Health and Safety Code (hereinafter "CHSC") to Lake of the Woods
21 Mobile Village for violation of CHSC section 116555(a)(1) and Title 22, California Code of
22 Regulations (hereinafter "CCR"), Section 64431.
23
24
25
26
27

APPLICABLE AUTHORITIES

CHSC, Section 116555(a)(1) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

(1) Complies with primary and secondary drinking water standards.

CHSC, Section 116655 states in relevant part:

(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the State Board.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.

Title 22, CCR, Section 64431 (hereinafter “Section 64431”), states in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

**Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals**

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as nitrogen)	10.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

Title 22, CCR Section 64432.1 (hereinafter “Section 64432.1”) provides in relevant part:

Section 64432.1

...

(a)(1) The water supplier shall require the laboratory to notify the supplier within 24 hours whenever the level of nitrate in a single sample exceeds the MCL, and shall ensure that a contact person is available to receive such analytical results 24-hours a day. The water supplier shall also require the laboratory to immediately notify the State Board of any acute

nitrate MCL exceedance if the laboratory cannot make direct contact with the designated contact person within 24 hours. Within 24 hours of notification, the water supplier shall:

(A) Collect another sample, and

(B) Analyze the new sample; if the average of the two nitrate sample results exceeds the MCL, report the result to the State Board within 24 hours. If the average does not exceed the MCL, inform the State Board of the results within seven days from the receipt of the original analysis.

(C) If a system is unable to resample within 24 hours, it shall notify the consumers by issuing a Tier 1 Public Notice pursuant to section 64463.1 and shall collect and analyze a confirmation sample within two weeks of notification of the results of the first sample.

STATEMENT OF FACTS

The State Board is informed by the Lake of the Woods Mobile Village Water System (hereinafter "Water System") and believes that the Water System is a community water system located in Kern County that supplies water for domestic purposes to approximately 81 individuals through approximately 86 service connections. The Water System operates under Domestic Water Supply Permit No. 459, issued on April 19, 1978, by the Kern County Environmental Health Services Department. The Water System is a community public water system as defined in CHSC, section 116275.

The Water System utilizes one groundwater well (Well 01) as its source of domestic water. Title 22, CCR, Division 4, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and reporting requirements for inorganic constituents. Community and nontransient noncommunity water systems must comply with the maximum contaminant level for nitrate of 10. mg/L as nitrogen, as established in Title 22 CCR Section 64431. Previously,

the maximum contaminant level for nitrate was 45. mg/L as NO₃. Starting January 1, 2016, all nitrate results shall be reported as nitrogen.

A sample collected on October 14, 2015, from the Water System's Well 01 (PS Code: 1500459-001), showed a nitrate (as NO₃) concentration of 47 mg/L in the well, which was higher than the nitrate (as NO₃) MCL of 45. mg/L. On October 16, 2015, Daniel Sackett of skOO'kum h2o monitoring, inc. notified the State Board of the October 14, 2015, high nitrate result. The Water System was unable to resample within 24 hours, so it notified the consumers by issuing a Tier 1 Public Notice on October 17, 2015. A confirmation sample was collected on October 26, 2015, from Well 01, and showed a nitrate (as NO₃) concentration of 48 mg/L in the well, which was still higher than the nitrate (as NO₃) MCL of 45. mg/L.

DETERMINATIONS

Based on the above Statement of Facts, the State Board has determined that the Water System has violated CHSC, Section 116555 and Section 64431, in that the water produced by Well 01 exceeded the nitrate MCL.

DIRECTIVES

Lake of the Woods Mobile Village Water System is hereby directed to take the following actions:

1. On or before **January 31, 2019**, comply with Title 22, CCR, Section 64431 and remain in compliance.

2. On or before **January 31, 2016**, submit a written response to the State Board indicating its agreement to comply with the directives of this Order and with the Corrective Action Plan addressed herein.
3. Commencing on the date of service of this Order, provide quarterly public notification in accordance with **Attachment A**, hereto, of Water System's failure to meet the nitrate MCL. The quarterly notification must include the most recent quarterly nitrate results.
4. Commencing on the date of service of this Order, submit proof of each public notification conducted in compliance with Directive No. 3, herein above, within 10 days following each such notification, using the form provided as **Attachment B**, hereto.
5. Commencing on the date of service of this Order, collect quarterly samples for nitrate from Well 01, as required by Section 64432.1(a)(2), and ensure that the analytical results are reported to the State Board electronically by the analyzing laboratory, no later than the 10th day following the month in which the analysis was completed.
6. Prepare for State Board approval a Corrective Action Plan identifying improvements to the Water System designed to correct the water quality problem (violation of the nitrate MCL) and ensure that the Water System delivers water to consumers that meets primary drinking water standards. The plan shall include a time schedule for completion of each of the phases of the project such as design, construction, and startup, and a date as of which the Water System will be in compliance with the nitrate MCL, which date shall be no later than **January 31, 2019**.

- 1
- 2
- 3 7. On or before **March 31, 2016**, present the Corrective Action Plan required under Directive
- 4 No. 6, above, to the State Board in person at the State Board's office located at 4925
- 5 Commerce Drive, Suite 120, Bakersfield, California 93309.
- 6
- 7 8. Timely perform the State Board approved Corrective Action Plan and each and every
- 8 element of said plan according to the time schedule set forth therein.
- 9
- 10 9. On or before **June 30, 2016**, and every three months thereafter, submit a report to the
- 11 State Board in the form provided as **Attachment C**, hereto, showing actions taken during
- 12 the previous calendar three months to comply with the Corrective Action Plan.
- 13
- 14 10. Not later than ten (10) days following the date of compliance with the nitrate MCL,
- 15 demonstrate to the State Board that the water delivered by Water System complies with the
- 16 nitrate MCL.
- 17
- 18 11. Notify the State Board in writing no later than five (5) days prior to the deadline for
- 19 performance of any Directive set forth herein if Water System anticipates it will not timely
- 20 meet such performance deadline.

21 All submittals required by this Order shall be addressed to:

22 Jaswinder S. Dhaliwal, P.E., Senior Sanitary Engineer
23 State Water Resources Control Board
24 Division of Drinking Water, Tehachapi District
4925 Commerce Drive, Suite 120
Bakersfield, California 93309

25 As used in this Order, the date of issuance shall be the date of this Order; and the date of
26 service shall be the date of service of this Order, personal or by certified mail, on the Water

System.

The State Board reserves the right to make such modifications to this Order and/or to issue such further order(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be deemed effective upon issuance.

Nothing in this Order relieves Water System of its obligation to meet the requirements of the California SDWA, or any regulation, standard, permit or order issued thereunder.

PARTIES BOUND

This Order shall apply to and be binding upon Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Order are severable, and Water System shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the

requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive any further enforcement action by issuance of this Order.



Carl L. Carlucci, P.E., Chief
Central California Section
State Water Resources Control Board
Division of Drinking Water

Date

1-6-2016

Certified Mail No. 7014 3490 0001 7868 9313



Attachments

Attachment A: Public Notification Template

Attachment B: Certification of Completion of Public Notification Template

Attachment C: Quarterly Progress Report Template

Cc: Kern County Environmental Health Services Department (w/o attachments)

Dan Sackett, skOO'kum h2o monitoring, inc., Contract Sampler & Distribution Operator

Attachment A

Nitrate Public Notification Template

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

DRINKING WATER WARNING

Lake of the Woods Mobile Village water has high levels of
nitrate

DO NOT GIVE THE WATER TO
INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN
OR USE IT TO MAKE INFANT FORMULA

Water sample results received on _____ showed nitrate levels of _____ milligrams per liter. This is above the nitrate standard, or maximum contaminant level (MCL), of 10 milligrams per liter. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. Symptoms in infants can develop rapidly, with health deteriorating over a period of days. If symptoms occur, seek medical attention immediately.*
- **PREGNANT WOMEN SHOULD NOT CONSUME THE WATER.** *High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- Water, juice, and formula for children under six months of age should not be prepared with tap water. Bottled water or other water low in nitrates should be used for infants until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can make the nitrates more concentrated, because nitrates remain behind when the water evaporates.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems, storm water run-off, and fertilizers). Levels of nitrate in drinking water can vary throughout the year. We will let you know if the amount of nitrate is again below the limit.

For more information, please contact Bob Conner at (661) 245-3521 or the State Water Resources Control Board, Division of Drinking Water at (661) 335-7315.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Lake of the Woods Mobile Village.

State Water System ID#: 1500459. Date distributed: _____.

Attachment B

Certification of Completion of Public Notification Template

Certification of Completion of Public Notification

(Include a Copy of Public Notice with the Certification of Completion of Public Notification)

This form, when completed and returned to the Division of Drinking Water – Tehachapi District (4925 Commerce Drive, Suite 120, Bakersfield, CA 93309 or fax to 661-335-7316), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: Lake of the Woods Mobile Village

Public Water System No.: 1500459

Public notification for nitrate MCL violation for the () Quarter of

was performed by the following method(s) (check and complete those that apply):

- ☐ The notice was mailed to users on: _____
A copy of the notice is attached.
- ☐ The notice was hand delivered to water customers on: _____
A copy of the notice is attached.
- ☐ The notice was published in the local newspaper on: _____
A copy of the newspaper notice is attached.
- ☐ The notice was posted at conspicuous places on: _____
A copy of the notice is attached.
A list of locations the notice was posted is attached.
- ☐ The notice was delivered to community organizations on: _____
A copy of the notice is attached.
A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

Printed Name

Title

Signature

Date

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation each day that the violation continues. In addition, the violators may be prosecuted in criminal court and, upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the Division of Drinking Water within 10 days of issuance of notice to customers

Enforcement Action No. **03_19_16R_001**

Attachment C

Quarterly Progress Report Template

Quarterly Progress Report

Water System:	Lake of the Woods Mobile Village	Water System No.:	1500459
Compliance Order No.:	03_19_16R_001	Violation:	Nitrate MCL
Calendar Quarter:		Date Prepared:	

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Tehachapi District Office.

Summary of Compliance Plan:

Tasks completed in the reporting quarter:

Tasks remaining to complete:

Anticipate compliance date:

Name

Signature

Title

Date